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ABSTRACT

This paper, one in a series about the priorities of the professoriate, is premised on the belief that academic tenure in higher education, if not doomed, is likely to play a diminishing role in the employment of college and university professors in coming generations. The paper argues against the belief that institutions of higher education have a privileged position in U.S. society that implies higher education should be treated as a unique entity. Instead, it suggests that institutions have become more entrepreneurial, with market forces operating on them in powerful ways. Financial trends have created a widening gap in available resources, with richer institutions getting richer and those less well off falling behind. And, in the field of medicine, forces outside the university have reshaped the economic relationships that governed compensation for doctors and hospitals. Given these factors, would-be academics might favor a diversity of employment arrangements rather than an employment-reducing system of universal tenure. An alternative to tenure that is more in line with those in other professions is presented, with the caveat that tenure may be necessary where faculty members devote themselves to specialized careers. Wage differentials for tenure-track and nontenured positions are suggested; and some of the problems to be overcome are outlined. (CH)

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Working Paper Series

ED 424 824

Alternatives to Tenure for the Next Generation of Academics

By David W. Breneman
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University of Virginia

INQUIRY # 14

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FORUM ON Faculty Roles & Rewards

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NEW PATHWAYS: FACULTY CAREERS AND EMPLOYMENT FOR THE 21ST CENTURY
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David W. Breneman is university professor and dean, Curry School of Education, University of Virginia. During 1990-1995, he was visiting professor at the Harvard Graduate School of Education, where he taught graduate courses on the economics and financing of higher education, on liberal arts colleges, and on the college presidency. Previously, he had served as president of Kalamazoo College, a fellow at the Brookings Institution, and staff director of the National Board on Graduate Education at the National Academy of Sciences. He has been an executive editor of *Change* magazine and is the author of numerous articles and books, including *Liberal Arts Colleges: Thriving, Surviving, or Endangered?* (1994), *Finance in Higher Education* (1993), and *Academic Labor Markets and Careers* (1988). He received a B.A. in philosophy from the University of Colorado and a Ph.D. in economics from the University of California at Berkeley.

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The Forum on Faculty Roles & Rewards is a special program of the American Association for Higher Education (AAHE). It works with faculty leaders, senior academic administrators, trustees, legislators, and others interested in refocusing faculty priorities to address pressing institutional and societal needs.

To advance this agenda, AAHE initiated a project called "New Pathways: Faculty Careers and Employment for the 21st Century." The New Pathways Working Paper Series addresses key issues related to changing faculty careers and employment arrangements; the series consists of 14 papers to be released during 1996-1997.

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FOREWORD

In 1992, AAHE entered into the growing national debate about the priorities of the professoriate by establishing the Forum on Faculty Roles & Rewards — a program that sponsors an annual national conference, issues publications, and serves as a general clearinghouse. Thus, when tenure surfaced in the spring of 1994 as a major issue of conversation and media attention, we became an interested party in the discussion.

On reflection, we decided that what was needed was not another familiar debate about the pros and cons of tenure but a new dialogue — a dialogue in which tenure was placed in a larger context of fresh thinking about two questions: What career paths make sense for the professoriate of the 21st century? What varieties of employment arrangements might most appropriately undergird these paths?

We also concluded that what might best help campuses work through these questions was not more philosophical argument but concrete options: practical ideas about new career paths and imaginative employment arrangements that campuses could try on for size.

AAHE's New Pathways project seeks to carry out that agenda. Project activities include (1) sponsoring forums to advance the dialogue; (2) serving as a general clearinghouse; and (3) initiating investigations into selected, particular issues.

Central direction for the project is provided by a three-person team: R. Eugene Rice, director of AAHE's Forum on Faculty Roles & Rewards; Richard Chait, professor of higher education, Harvard Graduate School of Education; and Judith Gappa, professor and vice president for human relations at Purdue University. Richard Chait's part of the project, which focuses on creative employment arrangements, is supported by a generous grant from the Pew Charitable Trusts.

The project team in turn benefits from the wise counsel of a four-person national advisory panel: Richard Lyman, president emeritus, Stanford University (chair); Andrew Hurwitz, attorney; Ejner Jensen, professor of English and special counsel to the president, University of Michigan; and Linda Wilson, president, Radcliffe College.

We wanted to make our own investigations quickly available in a form that was affordable, easily duplicated, and suggestive of what they really are: works in progress, intended to stimulate and enrich further discussion.

Russell Edgerton

President, American Association for Higher Education

March 1996

Alternatives to Tenure for the Next Generation of Academics

by David W. Breneman

The premise of this essay is that academic tenure in higher education is, if not a doomed institution, one that is likely to play a diminishing role in the employment relationship of college and university professors in coming generations. Indeed, aspects of this future are already apparent, as the number of full-time, nontenure-track faculty increases yearly, reaching more than 110,000 in 1992 (Baldwin and Chronister 1996). One can anticipate an acceleration of this trend toward a more diverse pattern of employment relationships, better suited to the circumstances facing institutions but also to the needs and concerns of potential academics. In short, this shift, as it occurs, need not be viewed as a win for colleges and universities and a loss for faculty; if allowed to develop thoughtfully and carefully, all parties can be winners, and no one, including society writ large, need be a loser.

In developing and arguing this thesis, I draw primarily on an historical and economic perspective on the evolution of the higher education enterprise. I argue that the situation facing higher education as a social and economic entity is very different today than it was at the turn of this century, when tenure first developed, or in the 1940s, when the AAUP statement on tenure and academic freedom was written and widely accepted, or in the 1960s and early 1970s, when the issues involved were again thoroughly reviewed and debated. Stated thus baldly, this observation is both obvious and apparently trivial; however, I argue that these changing circumstances create a need to rethink the employment relationship in higher education, an implication of our changing times that some have been unwilling to accept.

What I am challenging is the argument that the institution of tenure is vitally necessary in all times and all places, without reference to the social and economic circumstances in which higher education finds itself. The view espoused in this paper is that tenure may have made sense in the 1920s, or in the 1960s, but may not make sense as the dominant employment relationship in the

1990s or in decades beyond. While my arguments may convince some readers and not others, surely the issue posed is worth discussing, a basic exercise in academic freedom itself.

A Basic Premise

My starting point is to assume that institutions of higher education do not have a privileged position in our society that elevates them above the need to draw support from the surrounding society. This proposition also is obvious, when stated so plainly, but much of the discussion of tenure seems to operate in a vacuum, implying that higher education should be seen or treated as a unique entity, not subject to considerations that are other than self-referential. The history of higher education, of course, refutes this solipsistic view, for the forces for change have almost always arisen from the broader society. The land-grant movement, the rise of the research university and professional schools, the GI Bill, the decision to rely on universities as centers for research during the Cold War, expanded enrollment of women, the Civil Rights movement and the War on Poverty leading to mass higher education, the growth of community colleges serving multiple needs in local communities; one could add endlessly to this list to make the point. This brings us to the current moment — what societal forces are shaping the next round of college and university development?

I submit that we are well into a period of the entrepreneurial institution, an era when each college and university is rather mercilessly cast into competition for survival, for growth, for quality enhancement. Market forces are operating on institutions in powerful ways, and without the buffers that earlier periods provided. This change is not only in fact; it has ideological roots as well, as talk of privatization, limited government, productivity, assessment, outcomes, and efficiency dominates much public discourse about higher education. Among public institutions of higher education, reduced levels of state support have led to rising tuitions and greater reliance on all forms of private support, which must be garnered competitively and for service provided. Among private institutions, sharply rising tuitions have forced most into new practices of tuition discounting to attract students, into aggressive marketing techniques, and into curricular changes demanded by shifting student interests. As a result, colleges and universities have lost much of the autonomy and independence from the market that they enjoyed in earlier periods. Higher education is now a mature industry, with its era of greatest growth behind it, and while one may bemoan that fact or wish it were otherwise, to deny this new reality and fail to think through its implications would be to default from the responsibility of leadership.

The story told above has many nuances, which are important to our discussion of tenure. One of the financial trends in the past decade or more has been a widening gap in the resources available to particular colleges and universities; that is, the richer institutions have gotten richer, while those less well off have fallen further behind. In part, the disparity in financial endowments, coupled with the remarkable increase in equity values, has caused this trend. An endowment feeds upon itself through the power of compound interest, and growth rates of 15 percent per year have not been unusual in recent years. For the 150 or so institutions with sizable endowments, the last fifteen years have been very good ones.

A second reason for the widening resource gap is the growing tendency for a relatively small number of institutions to be virtually overwhelmed with applicants of high quality, giving them remarkable market power in determining their own student bodies. Economists Robert Frank and Philip Cook explain this trend in "The Battle for Educational Prestige," a chapter in their recent book *The Winner-Take-All Society* (1995: 147-166). Lists of national rankings — "The Best Colleges" — have a self-fulfilling quality, as top students seek to enroll in colleges populated with other top students, and as corporate recruiters limit their search for new employees to these highly ranked institutions. Prestige, by its very nature, has to be in short supply for it to have any value; thus, the handful of most prestigious institutions, private and public, have drawing power for students that the vast majority of colleges and universities do not. The result of both endowment and prestige differentials (and they tend to go together) is that a few institutions, probably no more than 150 in number, are effectively free from many of the market pressures faced by the bulk of the enterprise. I point this out because the tenure discussion may take a different form in these institutions than elsewhere.

ONE OF THE FINANCIAL TRENDS IN THE PAST DECADE OR MORE HAS BEEN A WIDENING GAP IN THE RESOURCES AVAILABLE TO PARTICULAR COLLEGES AND UNIVERSITIES.

Another nuance to be noted is that certain professional schools may feel a differential impact of market forces unique to that profession. A current case in point would be the field of medicine, where forces well beyond the university are reshaping economic relationships that govern patient care, third-party payments, and compensation for doctors and hospitals (including university teaching hospitals) in such a way as to have a profound influence on the nature and financing of medical

education. One would expect medical schools, even in prestigious institutions, to be faced with a need to rethink their employment relationships with the multitude of health-care professionals who make up their staffs.

The two examples noted above indicate one reason why a diversity of employment relationships beyond simple tenure agreements will be required by the evolving nature of higher education. Tenure may continue to function efficiently and well in some settings, while being largely dysfunctional in others. The challenge to higher education faculty, administrators, and trustees is to move beyond inflammatory rhetoric in order to address the specific circumstances of each institution in ways that protect academic freedom while ensuring the flexibility required for institutional survival. The several papers prepared as part of this New Pathways Series are contributions toward that end.

Tenure Through the Eyes of a Young Academic

The discussion thus far has focused on the changing environment of colleges and universities, emphasizing their increasing financial uncertainty and greater need for flexibility that might make the elimination of new tenured appointments attractive. But what about the next generation of potential academics? Is there any win in this situation for them, or should the AAUP and other faculty organizations refuse even to countenance such a change?

We might begin by enumerating some of the economic implications of a system of tenure, as these have been noted by previous writers.[1] In a 1964 essay for the *AAUP Bulletin*, "In Defense of Academic Tenure," Fritz Machlup (see Finkin 1996) provides an elegant survey of the pros and cons of tenure from an economic perspective. His fundamental argument is that a system of tenure presents undeniable disadvantages to institutions, scholars, and the profession, but that the overriding benefit of ensuring academic freedom, with its associated benefits to society at large, simply swamps the cost/benefit calculation in favor of tenure. The two main disadvantages of a tenure system to young scholars that he notes are the "up or out" decision in the sixth year and that the existence of tenure has a depressing effect on all academic salaries. Both points need to be elaborated.

The "up or out" decision certainly looms as one of the costs to young faculty, for the promise of permanent employment means that the institution must invest considerable resources in a stringent

[1] Finkin (1996) contains many of the best articles on this topic; in particular, I draw on Fritz Machlup's 1964 essay "In Defense of Academic Tenure" and Michael S. McPherson and Gordon C. Winston's "The Economics of Tenure: A Relational Perspective."

evaluation of the applicant's quality, with a tendency to deny tenure if there is any doubt about the individual's long-term promise. Writing in the 1960s (a period of extraordinary demand for Ph.D.'s), Machlup discusses the inconvenience of having to move to another college or university position if denied tenure. The academic labor market of the 1990s, however, is a very different one than that of thirty years ago; today, being denied tenure may mean permanent exclusion from academic employment. Indeed, for most of the last twenty years, the academic labor market in most fields has been marked by excess supply, and although that situation could change in the next century, annual production of new doctorates continues to grow (Office of Scientific and Engineering Personnel 1996). It is surely not unreasonable to conclude that many new doctorates might prefer a system of term appointments to one in which they may be effectively banished from academic employment early in their careers.[2]

The second argument, that tenure depresses academic salaries, is a reasonable deduction from microeconomic theory. If one adds job security to the wages offered, the result is to increase the relative attraction of academic work, and hence the supply of would-be academics (Machlup in Finkin 1996: 20). The increased supply of academics tends to depress their wages. Machlup goes on to note that

> At least one economist has criticized tenure as a most inefficient system [Alchian 1959: 360-361]. Since the professors must pay for the security they purchase by accepting lower salaries, tenure benefits the older, less able people at the expense of the younger, more able individuals. If teachers had a choice, the security-minded would go to institutions that offered tenure and lower salaries, while the confident would go to institutions offering higher salaries without tenure. If, however, tenure is more or less generally (though not quite voluntarily) provided by all institutions of higher education, the academic teachers have no choice and even those who do not care for tenure must buy it and pay for it by accepting lower salaries. (21)

Machlup accepts this analysis, but treats it as a necessary cost of ensuring academic freedom.

If one believes, as I do, that academic freedom can be ensured without tenure (see also Byrne 1997), then the issue of salary depression is worth more than a passing glance. Might a college or university be willing to offer a young scholar a higher wage for accepting a nontenure-track appointment, and might some young scholars not willingly accept such an offer? I see no reason why

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[2] Several reviewers of this manuscript, including Gordon Winston, Robert O'Neil, and William Bowen, stressed the importance, however, of the "up or out" decision to faculty quality control, particularly in leading institutions. As I note later, I believe these top institutions are the least likely to experiment with alternatives to tenure, in part because quality control is of utmost importance to them.

such arrangements should not occur, entered into freely by both parties. If one thinks of tenure as a property right, then one would expect it to have a price. If a young scholar opts out of a tenure-track appointment, risk shifts from the institution to the scholar, and surely that is worth something to both parties and should be reflected in the higher wage. Indeed, when institutions offer early-retirement incentives to faculty, they are engaging in the same activity, albeit at a later stage of employment. In both cases, the property right to permanent employment (actual or potential) is being sold to the institution.

GIVEN CURRENT CIRCUMSTANCES, IT IS HARD TO SEE WHY YOUNG WOULD BE ACADEMICS WOULD NOT FAVOR A GROWING DIVERSITY OF EMPLOYMENT ARRANGEMENTS RATHER THAN AN EMPLOYMENT-REDUCING SYSTEM OF UNIVERSAL TENURE.

One could object that young scholars do not truly know what they are doing in trading off the opportunity of gaining tenure for a higher salary and should be protected from themselves. Or one could object that the implied two-tier system is unstable, and that tenure is an all-or-nothing proposition. The problem with both of these objections is that there are numerous examples of coexistence within a single institution of tenure-track and nontenure-track appointments (Gappa 1996). Within the school where I am dean, we have several faculty serving in nontenure-track positions, and we are currently advertising two of six new positions in that category. Facts such as these give much of the discussion of tenure an unreal flavor, because while spirited arguments fly back and forth at the level of high principle, the world to which these principles presumably apply is changing quietly and without fanfare toward a system marked by substantial diversity in employment arrangements. Were I as dean required to turn my nontenure-track positions into tenure-track appointments, I would probably eliminate some or all of them, thereby denying employment to the incumbents. Would that be a gain to society?

The above discussion highlights another change from the world of 1964 when Machlup wrote his article. Then, conditions of excess demand for faculty prevailed because of the rapid growth of enrollments. But in 1997 and for many years preceding, the labor market has been one of excess supply of applicants for the number of positions available. Coupled with the financial uncertainty facing many colleges and universities, the ability to appoint some faculty on nontenure-track lines, even with no wage premium, has undoubtedly led to more employment than would have existed if an institution limited itself exclusively to tenure-track offers. Unless one is prepared to argue, with evidence, that the result has been a

crushing loss of academic freedom, then it is hard to see why young academics would have any interest in trying to prop up a system of universal tenure. In the world of 1964, the existence of nearly universal tenure no doubt served to depress academic wages; in the world of 1997, such a system, were it still in place, would serve to depress levels of academic employment. Given current circumstances, it is hard to see why young would-be academics would not favor a growing diversity of employment arrangements rather than an employment-reducing system of universal tenure.

Alternatives to Tenure

Before we consider possible alternatives to tenure, certain issues raised by McPherson and Winston in their thoughtful article (in Finkin 1996) require discussion. They argue that a comparison of employment arrangements in higher education and in the business corporation reveals good reasons for the "up or out" tenure decision, which is not found in most companies. The heart of the argument is specialization; in the corporation, employees do not have a guarantee to any particular job, but rather are subject to being moved from one area to another, which provides the flexibility that the company requires. By contrast, professors are hired to do a highly specialized job, for example, teach physics, and typically do not move around the university into other occupations. The university, therefore, has less flexibility and thus must submit the would-be tenured professor to a prolonged probationary period before awarding tenure. The professor, in turn, is agreeing to commit his career to specialized research and teaching, which may have few other markets, and thus that professor requires the guarantee of permanent job security to make that choice.

Ironically, McPherson and Winston were writing in the mid-1980s, when much was being made about the organizational efficiency of permanent career commitments by corporations, both here and in Japan, where that policy was especially strong. They were in part seeking to explain and defend the "up or out" policy of tenure decisions in universities, which seemed the antithesis of enlightened corporate policy. How swiftly and dramatically that world has changed! Shortly after their paper was written, the era of downsizing, of cost reduction, and of reengineering the corporation became the norm. Soon those approaches spread to government, to the military in the aftermath of the Cold War, and to virtually every other area of employment, including, to a lesser degree, even higher education. But now tenure was highlighted and criticized as a policy that no other area of the economy offered its employees. Whereas professional workers used to have (or thought they had) a type of presumptive

tenure with their companies, the security of that world was ending. One result has been increased attack on academic tenure as outmoded, inefficient, and unnecessary.

A political question worth considering is whether it is good for higher education and for its social and financial support to cling tenaciously to tenure, when professional people outside the academy no longer believe they have anything approximating that degree of job security. As a college president in the mid-1980s, I could counter the criticisms of tenure by arguing that most professional people had the functional equivalent, but that argument rings hollow in today's world. This social change (or its perception) throws the rationale for tenure exclusively onto its necessity to ensure academic freedom, but I believe that fewer and fewer people today find that case compelling. If the existence of tenure engenders resentment and antagonism toward higher education, such feelings will surely translate into reduced support for the enterprise. It is a commonplace among higher education leaders that colleges and universities have faced much harsher criticism in recent years than was true earlier; while the reasons are many, it is hard to believe that resentment of tenure is not among them. If we are determined to defend tenure to the death, we need to be sure of our ground and prepared to accept the financial consequences. Alternatively, we can explore new employment arrangements, more in line with those in other walks of life, and which do not require elaborate defenses. That approach strikes me as the path of wisdom, and explains my purpose in writing this paper.

McPherson and Winston, among others, also make the point, noted above, that tenure may be necessary if faculty members are to be induced to devote themselves completely to specialized careers with few, if any, market alternatives. In other words, a scholar of ancient Persian studies, if not granted tenure, will have nowhere else to exercise that specialty, and thus would not embark upon such preparation in the absence of the tenure system. I note this point because a review of the literature on alternatives to tenure does suggest that new approaches have been adopted primarily in professional schools, such as medicine, law, business, architecture, or education, rather than in colleges of arts and sciences. The explanation may lie precisely in the differences in nonacademic markets facing faculty in professional versus arts and sciences fields. Professional schools often invite experienced practitioners onto the faculty in nontenure positions, with that arrangement being perfectly acceptable to the individual as well as the school.

Furthermore, a person with professional school training may have less to fear if academic employment is withdrawn. Even within the arts and sciences, disciplinary differences exist among fields in this respect; chemistry professors, for example, may find ready employment in industry or government, as may economists or biologists. Professors in the humanities and some social science

fields are most restricted to academic life, and thus one might predict that a scholar of medieval studies, for example, would be less willing to trade the tenure opportunity for a higher salary than would a chemist. Labor market differences of this sort are real and not to be ignored, which strengthens the case for a diversity of employment patterns, even within a single institution, rather than a blanket policy covering faculty in all fields.

A review of the literature regarding attitudes of faculty in full-time, nontenure-track positions reveals nothing surprising in the view people have of their situations (see Baldwin and Chronister 1996; Gappa 1996). Many such faculty express satisfaction, stating that the position fits well into their career plans and objectives, provides them with considerable freedom of action, and meets their current needs. Others express resentment at being seen as "second-class citizens" who are denied full opportunities for professional development, full participation in college governance, or career advancement. Some express concern about a lack of job security, while others do not. Given the wide range of personal circumstances involved, one should expect a similarly wide range of reactions, from great satisfaction to anger and resentment.

IT IS NOT DIFFICULT TO IMAGINE WAYS TO DESIGN NONTENURE-TRACK POSITIONS SO THAT THE INCUMBENTS FEEL VALUED AND FIND PROFESSIONAL FULFILLMENT AND JOB SATISFACTION.

The lesson for those who would implement a policy of nontenure-track appointments is obvious. One can design such programs in ways that demean the incumbent or that make the position attractive. A demeaning position would be one where the salary offered is lower than that offered tenure-track faculty; where the appointment is of short duration, for example, one-year renewable rather than for multiple years; where the individual is excluded from any role in institutional governance; and where few, if any, professional benefits are provided, for example, travel to conferences, opportunities for sabbaticals, time to write. It is clear from surveys and interviews that many colleges and universities have established nontenure-track positions in a way that is demeaning, which gives the notion a bad name. But it is worth emphasizing that such positions are not inherently demeaning; if incumbents perceive them to be so, then administrators have structured them that way and could have done so differently. It is not difficult to imagine ways to design nontenure-track positions so that the incumbents feel valued and find professional fulfillment and job satisfaction.

The first step is to acknowledge that, in agreeing to forgo the possibility of tenure, the potential faculty member is conveying something of tangible value to the college or university. Even though the current labor market favors the employer, in that a higher salary often is not necessary to attract a new faculty member, the institution would be wise to offer a higher salary for those accepting nontenure-track, full-time appointments. This should be an open and acknowledged policy, sending the clear signal that such appointments are not "second class." Even in academia, money talks. Second, the faculty member should have an initial appointment of duration equal to that of an entering tenure-track appointee, most commonly three years. Employment on an annual renewal basis is inherently demeaning and should be avoided if one wants to encourage this new approach. Third, the new faculty member should have all of the rights and privileges accorded a peer in a tenure-track position, including opportunities for participation in governance, professional development, travel, and research. In short, if the institution's goal is to move over time and through new appointments to a situation in which tenure is eventually eliminated or diminished in scope, it only makes sense to treat those in nontenure-track positions as full professionals, not as lesser beings.

The Price of Tenure

Having argued the case for a wage premium for new faculty who forgo tenure-track appointments, it is worth considering how large that wage premium must be. No neat calculation exists to guide participants on either side of this market; indeed, the only meaningful answer to the question would be the actual market experiment. Economic analysis may yield some guidelines, however.

Imagine a college that had always hired faculty on tenure-track lines but decides as of a date certain to switch to a system of term appointments for all new positions. Assume that the college plans no change in the quality of its hires, so the natural experiment would simply be to advertise openings accordingly and negotiate the wage that would be required to attract the desired applicants. I would argue that the premium required for this market to work need not be large, perhaps on the order of 5 percent above the salary for those starting on a tenure-track appointment. The reason is that the more excellent the candidate, the less valuable tenure will be to that person, and the less valuable it will be to the institution to withhold it. Any candidate who places a high value on tenure is one that an institution might wisely avoid hiring, for the candidate may be signaling a need for job security not warranted by ability. Thus, a modest premium is all that an institution should be willing to offer, and all that a good candidate should require as compensation.

Can we say anything about how such a system might evolve? One possibility, surely, is that some tenured faculty, observing the wage premium offered to those without tenure, might be inclined to exchange their tenured status for a comparable premium. At the very least, one can imagine an internal market evolving in which tenure is exchanged for a higher salary. Some faculty might opt for this exchange, and others might not, being willing instead to accept a permanently lower salary for the security of an appointment without term. All that the college need do is stand ready to make that trade, with the size of the premium subject to individual negotiation. The weaker (or less marketable) the faculty member, the higher the premium he or she would require to give up tenure; conversely, the stronger (or more marketable) the faculty member, the smaller the premium required or willingly offered. During the transition period, a two-tier system would evolve, in which faculty with less need for economic security are more likely to opt for the immediate premium. The lesser need for security could be triggered by several factors: marketability based on past performance and reputation, easy recourse to other professional opportunities (e.g., physicians, engineers, business faculty), an independent source of income (e.g., family wealth), or a high tolerance for risk. Conversely, faculty without mobility and marketability would be more likely to opt for retaining tenure. Ironically, the tables would be turned, with the most mobile faculty cashing out their tenure, while the least mobile retain it. (For an alternative view of the evolution of the nontenure-track future, see the next section, **Problems to Be Overcome.**)

> I WOULD ARGUE THAT THE PREMIUM REQUIRED FOR THIS MARKET TO WORK NEED NOT BE LARGE, PERHAPS ON THE ORDER OF 5 PERCENT ABOVE THE SALARY FOR THOSE STARTING ON A TENURE-TRACK APPOINTMENT.

Alternatively, one could imagine a college implementing a policy of offering each new faculty member a choice — a tenure-track position at salary X or a nontenure-track position at salary X+Y. The understanding would be that the faculty member who chose the nontenure-track option, having been compensated for that choice, could not renegotiate for tenure; while the faculty member on the tenure-track position, having paid for that choice with a lower salary, would be allowed, once earning tenure, to sell it back to the institution should that exchange be mutually satisfactory.

A different way to look at the issue of the wage premium is to ask what the real cost of tenure is to an institution. Imagine a school or department with 100 faculty, 65 with tenure, 35 on the tenure track. Of the 65 with tenure, let us suppose that 5 are truly nonproductive, the fabled deadwood. The

other 60, as well as the 35 still early in their careers, are performing well and do not represent a significant opportunity cost to the school. If no one had tenure, we can assume that the dean or provost would not renew the contracts of the 5 laggards, at a savings of $300,000 (five salaries of $60,000 each, by assumption). This figure would be the upper limit of the value to the school of eliminating tenure, for, even in a world without tenure, 95 of the 100 would still be employed. It would thus be worth a maximum wage premium of $3,000 for each of 100 faculty members to eliminate tenure. While the details of this example would vary case by case, the rough magnitudes seem about right, making the point that no institution would be willing to pay a high percentage of its total wage bill to eliminate tenure.

Problems to Be Overcome

A difficult issue that must be confronted is whether a stringent review, analogous to the sixth-year review now made for tenure, can and should be implemented for faculty in nontenure-track positions. In the pure case, where a college has decided to move over time toward the elimination of tenure through this mechanism, the force of the McPherson and Winston (1996) argument regarding the centrality of the "up or out" decision cannot be ignored. Suppose that following the sixth-year review, the successful candidate receives not tenure but a five-year appointment. Given that duration of commitment, I see no reason why the resources and energy of the college should not be available for a review as demanding as that done for tenure. The practices and tradition are already in place and need not be invented. The significance of a five-year appointment for the quality of the department is surely important; indeed, who among us is truly capable of projecting much further than five years ahead? It would be surprising if a faculty member whom one would not choose to have as a colleague for life would somehow be acceptable for the next five years.

I do not, however, have a ready answer for a related issue. Let us call this issue the "logrolling" problem. If there were no tenured members of a faculty, but instead all were on five-year renewal appointments, then those faculty who serve on a review committee for a colleague would also be subject to review themselves by the same colleagues. In that situation, an understandable tendency to "go along to get along," that is, to support everyone for renewal because of the threat of reprisal, might prevail. As a result, quality control would be lost. This is a real problem, not to be finessed. Were we proposing to go overnight from the current system to a system of five-year appointments, it might be a knockout objection; however, the model under review is evolutionary, not revolutionary, and would

take many years to complete. Is it not reasonable to assume that with years of experience, a resolution might be found? I do not have an answer to that question, but suspect that the answer is affirmative. (The growing practice of post-tenure review may provide experience relevant to solving this problem.)

A related question is whether older faculty would be willing to bring in younger colleagues of higher quality if they were perceived by the senior scholars as an employment threat. Again, this might be a knockout concern if one were proposing to change the tenure system overnight. In the evolutionary process under review, however, the problem is not immediate, but one that would have to be addressed as the transition advanced. Both this and the previous concern should be part of any discussion by a college that is considering a move to the nontenure model.

Finally, let me conclude this section with an argument advanced by William Johnson of the University of Virginia economics department, in commenting on an earlier version of this paper. His remarks refer to the notion that a price for tenure might evolve in which some members of the department trade away tenure for a higher wage premium, while some, feeling less secure, opt to retain it. Johnson writes:

> I have trouble envisioning a system in which tenured and nontenured academics coexist as rough equals within a small academic unit like a department. The basic problem is who hires whom? If nontenured people are the equal of tenured people, do they have a say in who gets tenure? If not, I do not see that they are equal. It is much easier for me to envision a continuation of present trends toward more nontenure-track faculty, hired for longer periods of time and at better pay. But they would never be the equal of the tenured faculty. In fact, the tenured faculty might become a very elite group within the department, maybe a bit like chairholders are now. A respectable academic career could consist of a sequence of long-term nontenure-track appointments, but only the very best are offered tenure. In fact, at the best economics departments, this happens already. Junior faculty stay on for ten years, ending up as untenured associate professors — very few of them get tenure or are promoted to full professor. The tenured faculty clearly run the department. I see this as a model for the future, with the likely extension of the untenured period beyond ten years. I agree that the terms of employment for these nontenured faculty must be improved along the lines suggested in your paper (longer contract periods, higher pay, more benefits), or we will not be able to attract good young people into academia. (Personal communication, February 6, 1997)

Johnson has sketched out a plausible vision, which highlights the potentially difficult interplay of academic power and faculty income. Under the current system, no conflict exists — tenured faculty generally have both greater power and higher income than untenured faculty. If tenure began to command a price, however, sufficient to cause a number of the most marketable faculty to give it up, these relationships would be scrambled, and a new political as well as economic equilibrium would have

to be found within departments. Unlike the other problems discussed earlier, this one is peculiar to the transition stage and would clearly complicate it.

A Glance Ahead

I conclude this essay with a few brief elaborations on the basic alternative to tenure sketched above. We noted earlier that the market pressures felt by most institutions of higher education are not felt as severely at the perhaps 150 colleges and universities with the greatest wealth and prestige. These institutions are highly competitive with one another for the services of the "best" faculty, competing nationally and internationally for scholars who excel at research and publication. These are also the institutions that have the greatest control over their programs of study and research and have sufficient wealth to commit resources to an area even if it is currently out of favor with students or funding agencies. Institutions in this privileged position may have less reason to be troubled by tenure and the reduction in flexibility that it entails. It seems likely, therefore, that these institutions will not pursue nontenure alternatives, at least in the core arts and sciences fields. The gain to the college or university would be less and the competitive disadvantage severe if one university embarked on such a policy and others did not follow. Thus, I would not expect these institutions to take the lead in forging new employment relationships, contrary to the leadership role they often play in other areas of academia. And, as noted earlier, there may be both an institutional and a societal interest in maintaining the severe "up or out" feature of tenure in these institutions where quality control is enormously important.

One caveat to this conclusion is the observation, noted in the report of the Committee on Mandatory Retirement in Higher Education (1991), that tenured faculty in the leading research universities may be the one group unlikely to retire by age 70 if the age of retirement were uncapped, as it has been. Tenure at the end of a career may pose a problem for these universities, but one that could be handled (so the Commission argued) by administrative procedures, including early-retirement incentives, altered teaching assignments, and other means. The jury is still out on how severe this problem is (or will become) and how effective administrators can be in inducing older faculty to retire. If such procedures generally fail and if the problem becomes acute, elite universities may also have reason to explore nontenure alternatives.

Leading liberal arts colleges are included in the group of 150 institutions of greatest wealth and prestige, and one suspects that these colleges will also be slow to adopt a policy of offering nontenured

faculty positions. These colleges have such drawing power for students that, unlike many of their less prestigious peers, they have not been forced to change curricula in order to attract students (Breneman 1994). Colleges with less prestige have been forced in recent years to add professional programs and majors to supplement their arts and sciences offerings, as students seek more direct career preparation. One result has been to leave these colleges with tenured faculty in the arts and sciences who teach few students and have virtually no majors. Colleges in this position would seem to have a strong incentive to shift to a policy of increased nontenure-track faculty appointments.

As noted earlier, professional schools are furthest along in devising new employment arrangements, and one can expect that trend to continue. This fact suggests that others who wish to explore this topic would be advised to look to the professional schools for guidance. For example, the employment plan recently adopted by the University of Virginia Medical School involves six faculty tracks, linked in different ways to the teaching, research, and service functions of the school. Judith Gappa (1996) reports that:

> Three of the tracks (academic investigator, clinician investigator, and clinician educator) require tenure for long-term employment; three tracks (clinical, research, and instructional faculty) do not have tenure as an option. Movement among the tracks is discouraged. (21)

Gappa's discussion of this three-year-old policy includes numerous comments from individual faculty and administrators at the Medical School, all generally positive. Her paper also cites examples of new arrangements at American University, Harvard Graduate School of Education, Hastings College of Law, New York University's Stern School of Business, Purdue University's Schools of Pharmacy, Nursing, and Health Sciences, and Stanford University. Her paper is a good place to start for those who would learn more about actual arrangements in place.

A Concluding Comment

The highly publicized and acrimonious debate about tenure at the University of Minnesota during the last year has tainted the discussion of tenure alternatives, while demonstrating vividly how emotionally charged the subject is. We have seen there that the faculty response to review of the tenure code (and to a proposal that faculty believed would curtail faculty rights or undermine the tenure system) was to begin organizing a union, an outcome that many fear would be the logical response of a threatened faculty. I personally have no desire to see the spread of faculty unionization, and believe that a thoughtful discussion of alternatives to tenure for the incoming generation of academics need not veer

into this unattractive path. That hope is premised on the belief that the type of evolutionary change discussed here need not be cast into a zero-sum context, with winners and losers, but rather may develop in a way that benefits all parties. Existing programs for nontenure-track faculty, including those noted in this essay, suggest that such hope may not be misplaced. Only time will tell. ■

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